

IN SENATE OF THE UNITED STATES.

JULY 15, 1848.

Submitted and ordered to be printed.

Mr. BUTLER made the following

REPORT:

[To accompany bill H. R. No. 290.]

The Committee on the Judiciary, to whom was referred the bill from the House of Representatives, No. 290, entitled "An act to change the times for holding the district courts of the United States, for the western district of Virginia, and for other purposes," together with the resolution of the Senate, instructing said committee "to inquire into the expediency, by an amendment of said bill, to increase the salary of the judge of said court, in consideration of the additional duties devolved on him by the increase in the number of courts in said district, and the extension of their respective terms," have had the same under consideration, and respectfully report:

The western district of Virginia was established as a judicial district, by act of 4th February, 1819, and included the territory lying between the Alleghany mountain and the Ohio river; Clarksburg, Wythe Court House, and Lewisburg were the places designated by the act, the two former as the sites of district courts with two terms annually, and a circuit court at Lewisburg, and the salary of the judge was fixed at sixteen hundred dollars per annum. To hold these courts semi-annually, the judge was required to travel 1,000 miles.

By act of 26th May, 1824, the district was enlarged by extending its eastern limit to the blue ridge of mountains, embracing thus the whole of the great valley of Virginia, and a densely populated and wealthy country; and an additional court was added, to be held at Staunton, in Augusta county, with two terms annually.

By acts of August, 1842, and January, 1843, a district court, with two terms annually, was established at Wheeling, on the Ohio; and by act of 29th August, 1842, a district court, with two terms annually, was established at Charleston, in Kenhawa county.

Thus, since the district was established, in 1819, the territory included within it has been nearly doubled. The number of courts to be held has been increased from six to eleven terms annually,

and the necessary additional travel by the judge, to hold these additional courts, amounts to 1,280 miles per annum.

It thus appears to your committee, that beside the increase of labor in this district, resulting from increase of population and business in the thirty years that have elapsed since the district was established, there has been added to it by legislation, a territory nearly equal to its original limits and with a denser population.

The number of terms to be held has been increased from six to eleven.

And the distance necessarily to be travelled to reach these courts, has been increased from 1,000 to 2,280 miles, whilst the salary has remained at \$1,600 per annum, as at first, without mileage or other emolument whatever.

The bill which has passed the House of Representatives, enlarges the terms of each of these courts—a measure rendered necessary, as shown by the memorial upon which it is based, by the steady increase of their business, and it is estimated that should the bill pass, at least two additional months of the year will be added to the aggregate terms of the courts.

Your committee, in view of the foregoing facts, think there can be no doubt of the justice and expediency of increasing the salary of the judge, and recommend that it be raised to the sum of \$2,250 per annum, and they report an amendment to the bill accordingly.